

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEROME JUNIOR WASHINGTON,

Plaintiff,

v.

LIEUTENANT MYERS,

Defendant.

No. 4:22-CV-01858

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of August 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Eighth Amendment conditions-of-confinement claim against defendant Lieutenant Myers is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
2. Plaintiff's First and Fourteenth Amendment access-to-courts claim against Myers (to the extent that one is asserted) is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
3. Plaintiff's First Amendment retaliation claim against Myers is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
4. Within 21 days from the date of this Order, Plaintiff, if desired, may file a second amended complaint in accordance with the accompanying Memorandum.
5. If no second amended complaint is timely filed, dismissal of Plaintiff's First Amendment retaliation claim against Myers will convert to dismissal with prejudice, and the Court will close this case.

6. As defendant Superintendent Salamon is not named in the amended complaint, all claims against Salamon are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
7. The Clerk of Court is directed to terminate defendant Superintendent Salamon.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge